

**TENNESSEE BOARD OF PODIATRIC MEDICAL EXAMINERS
MINUTES**

DATE: September 23, 2005

TIME: 9:00 A.M.

LOCATION: Conference Room A&B
2nd Floor, Cordell Hull Building
Nashville, TN

BOARD MEMBERS

PRESENT: Aaron Perkins, DPM, Chair
David Long, DPM
Berkeley Nicholls, DPM
Kathryn Riffe, DPM
Shannon Bottoms, Consumer Member

STAFF PRESENT: James Hill, Board Administrator
Nicole Armstrong, Advisory Attorney
Stacy Lannan, Licensing Technician

Dr. Perkins, chair, called the meeting to order at 9:03 A.M. All board members were present for the meeting.

Review Minutes

Upon review of the July 15, 2005 minutes, Dr. Long made a motion, seconded by Dr. Riffe, to approve the minutes as corrected. The motion carried.

Conflict of Interest

Ms. Armstrong reviewed the conflict of interest policy with the board asking the board members to disclose any conflict of interest they may have prior to contested cases or any other legal proceedings or matters to determine if there is a conflict of interest. Ms. Armstrong stated that if a board member does have a conflict of interest they must recuse him/herself and leave the hearing room during the discussion and vote. Ms. Armstrong asked the board members to sign the conflict of interest statement and return it to Mr. Hill.

Discuss Callus Debridement at nail salons

Upon discussion of Callus Debridement being an illegal instrument at nail and hair salons, Mr. Armstrong stated she would have more information at the next board meeting.

Consent Order for Matthew D. Westerfield, D.P.M.

Dr. Nicholls recused himself.

Upon review, Dr. Riffe made a motion seconded by Ms. Bottoms, to reject the consent order for **Matthew D. Westerfield, D.P.M.**, pending more information. The motion carried.

Agreed Order for Andrew Lamay, D.P.M.

Upon review of the agreed order for **Andrew Lamay, D.P.M.**, for prohibiting immoral, unethical, unprofessional or dishonorable conduct, Dr. Long made a motion, seconded by Dr. Riffe to accept the agreed as written. The motion carried.

Contested Case Hearing for Michael J. Westerfield, D.P.M.

Administrative Law Judge, John Hicks, presided over the case hearing for Michael J. Westerfield, D.P.M. Andrae Crismon, Assistant General Counsel, represented the State and Mr. Westerfield was not present for the hearing.

Dr. Nicholls recused himself from the hearing.

Mr. Crismon stated he sent numerous notices to the respondent and all were returned unclaimed.

Dr. Long made a motion, seconded by Dr. Riffe, to find Michael J. Westerfield at default. The motion carried.

Dr. Long made a motion, seconded by Dr. Riffe, to accept the findings of facts which charges Dr. Westerfield with over prescribing and poor record keeping. The motion carried.

Ms. Bottoms made a motion, seconded by Dr. Long, to accept the conclusions of law as written. The motion carried.

Dr. Long made a motion, seconded by Ms. Bottoms, to revoke the license of Dr. Michael J. Westerfield. The motion carried.

Dr. Perkins stated the Tennessee Board of Podiatric Medical Examiners took this action in order to enforce the statutory laws and rules governing the professional practice of podiatry in the State of Tennessee and protect the health, safety and welfare of the citizens of the State of Tennessee.

Review /Approval of Podiatrists and Podiatric X-ray Operators applications

Dr. Long made a motion, seconded by Dr. Riffe, to ratify the following Podiatrists applications for licensure:

By Exam

John Bell

By Reciprocity

Antony Merendino

Christopher Segler

The motion carried.

Dr. Long made a motion, seconded by Dr. Riffe, to ratify the following Podiatric X-ray Operators applications for licensure:

Shawn L. Myers
Morgan Whitehead
Sonya Renee Williams

The motion carried.

Ratify Files for Closure

Dr. Long made a motion, seconded by Dr. Riffe, to ratify the following applications be closed:

Tom Kane
Carla Martin

The motion carried.

Approve CE Course

The board reviewed a letter from Ms. Anne Johnson requesting approval for a continuing education course. Ms. Armstrong said the board does not approve individual continuing education but if submitted by the provider the board can review the course for approval.

Discuss Task Force

Dr. Riffe stated that it is the recommendation of the board to form a task force to go over and re-write the rules governing the Podiatric Medical Board in the State of Tennessee. Dr. Riffe added a draft of these rules will be submitted at the next board meeting for the board members to go over and make any changes necessary.

Upon discussion of licensing fees, Ms. Armstrong suggested we have Ms. Tittle attend the next board meeting for any questions.

Dr. Perkins requested we add election of officers and discussion of practitioner profiles to the agenda for next meeting.

With no other business to conduct, Dr. Long made a motion, seconded by Dr. Nicholls, to adjourn the board meeting at 1:45 P.M. The motion carried.

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